THE BOMBAY LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS) ACT, 1951.

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BOMBAY ACT No. XXV OF 1951.[1]

[THE BOMBAY LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS) ACT, 1951.]

[*20th September 1951*]

Amended by Bom. 15 of 1953.
" " " 21 of 1954.
" " " 40 of 1954.

An Act to provide for the removal of certain disqualifications for being chosen as, and for being, a member of the Bombay Legislative Assembly and the Bombay Legislative Council.

WHEREAS by the Constitution of India, provision has been made for declaring by Act of the State Legislature any office of profit under the Government of India or the Government of any State specified in the First Schedule to the said Constitution not to disqualify its holder for being chosen as, and for being, a member of a State Legislature ; And whereas it is expedient to make such declaration : It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Legislature Members (Removal of Disqualifications) Act, 1951.

Removal of certain disqualifications.

2. A person shall not be disqualified for being chosen as or for being a member of the Bombay Legislative Assembly or the Bombay Legislative Council merely by reason of the fact that he holds any of the offices specified in the Schedule appended hereto.

Repeal.

Bom. I of 1937.

3. The Bombay Legislature Members (Removal of Disqualifications) Act, 1937, is hereby repealed.

Act to come into force on 26th January 1950.

4. The provisions of this Act shall be deemed to have come into force on the 26th day of January 1950.

SCHEDULE.

1. The office of the Parliamentary Secretaries to the Ministers of the Government of Bombay.

2. The office of part-time professors or lecturers in a Government college.

3. Any office in the National Cadet Corps or the Territorial Army.

4. The office of the Secretaries of the [2][District Development Boards constituted by the State Government (by whatever name called)] :

Provided that the holders of such office do not hold any other office of profit under the State Government.

[3][5. The office of an Honorary Medical Officer or Honorary Assistant Medical Officer in a hospital under Government management.]

[4][5A. The office of the Chairman or member of the Bombay Labour Welfare Board constituted under the Bombay Labour Welfare Fund Act, 1953.]

Bom. XL of 1953.

6. The office of the Chairman or member of any committee or body appointed by the Central or a State Government :

Provided that the Chairman or any member of such committee or body does not receive any remuneration other than the compensatory allowance.

Explanation.—For the purposes of this entry, " compensatory allowance " shall mean the travelling allowance, the daily allowance or such other allowance which is paid to the holder of the office for the purpose of reimbursing the personal expenditure incurred by him in attending the meeting of the committee or body or performing any other functions as the holder of the said office.]

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[1] For Statement of Objects and Reasons *see Bombay Government Gazette*, 1951, Part V, page 259.

[2] These words were substituted for the original by Bom. 21 of 1954, s. 3, Second Sch.

[3] Entries 5 and 6 were added by Bom. 15 of 1953, s. 2. This amendment shall be deemed to have come into force with effect from the 26th day of January 1950 (*vide* s. 3 of Bom. 15 of 1953).

[4] Entry 5A was inserted by Bom. 40 of 1954, s. 2. This amendment shall be deemed to have been made and to have come into force on and from 1st day of July 1953 (*vide* s. 4 of Bom. 40 of 1954).